

DRAFT - LUST Trust Work Plan  
American Recovery & Reinvestment Act of 2009  
Maine Department of Environmental Protection

February 20, 2009

The Department of Environmental Protection's Bureau of Remediation & Waste Management will be responsible for the implementation of this LUST Trust Grant under the American Recovery & Reinvestment Act. This work plan outlines work identified as meeting the criteria of the LUST Trust Grant and that will create employment opportunities and business activity in the local economy. Grant funds will be directed at motor fuel LUST remediation sites and proper closure of abandoned USTs. Funding provided under LUST Trust will be used for work that will be outsourced to private sector contractors, except for oversight, which will be provided by Department personnel. Implementation of this work plan will be a cooperative effort among the Divisions of Technical Services, Response Services, Remediation and Oil & Hazardous Waste Facilities Regulation.

**LUST Remediation**

Table 1 below provides a summary of the LUST remediation sites that are proposed for inclusion in this program.

TABLE 1  
Proposed LUST Remediation Sites

Name	Town	Spill No.	Site Type	Risks	Needed Remediation	Cost Estimates
Former Indian River Variety	Addison	B-347-94	Former gasoline retail facility	Soil Ground water	Contam. soil	\$125,000
Former Daggett Store	Topsfield	B-572-97	Former gasoline retail facility	Soil Ground water Drinking water	Contam. soil Replace wells	\$500,000
Bangor St.	Houlton	R-001-05	Multiple former gasoline LUST facilities	Soil Surface water Indoor air	Contam. soil	\$200,000
Military St.	Houlton		Multiple former & active gasoline LUST facilities	Soil Indoor air	Indoor air Contam. soil/ soil gas	\$100,000
Brooks Village	Brooks	R-001-08	Multiple former gasoline LUST facilities	Soil Ground water Drinking water	Contam. soil	\$94,000

Total            \$1,019,000

Five (5) existing LUST remediation sites where motor fuels have been discharged to the environment has been identified from the Bureau's Oil Remediation Priority List. All have contaminated soil and ground water. Some are also contaminating surface water bodies or pose a threat to indoor air quality in occupied buildings.

Each of the sites listed above, other than Brooks Village, will remediate sites that are likely to be returned to commercial uses upon completion. The Brooks Village project will be coordinated with a Maine Department of Transportation highway reconstruction project to take advantage of access to contamination under the highway that was previously inaccessible. This coordination will benefit both agencies' projects. This is a residential village. All of the projects identified are in Aroostook, Washington and Waldo Counties with December 2008 unemployment rates ranging from 8.2 to 9.4%, and all higher than the State of Maine average of 7%.<sup>1</sup>

### **UST Closures**

The second body of work that will be funded using LUST Trust economic stimulus moneys will be the proper closure of abandoned motor fuel USTs in accordance with Maine's underground oil storage tank regulations (Chapter 691, Section 11). The tanks proposed for proper closure are summarized in Table 2 below.

TABLE 2  
Abandoned UST Closures

Registration No.	Facility Name	Town	No. of USTs	Site Assessment Needed	Estimated Cost <sup>2</sup>
5576	Wiscasset Fuel	Wiscasset	5	Yes	\$26,500
None	Wells Fargo	Old Town	1	Yes	\$10,000
5521	Little Brook Airport	Eliot	1	Yes	\$13,888
7457	Larry Sawyer	Fort Fairfield	1	Yes	\$9,821
9662	J.A.R. Farms	St. Francis	5	Yes	\$50,000
3033	Lionel Plourde	Caribou	2	Yes	\$3,000
4648	Korner Market	Dover-Foxcroft	3	Yes	\$3,000
7476	Webber Lobster	Brunswick	4	Yes	\$3,000
19945	Ivy Anderson	New Portland	1	Yes	\$3,000
7047	Victor's Irving	Grand Isle	2	Yes	\$40,000
13090	Pit Stop	Jonesport	2	Yes	\$40,000
12985	Keene Qik Stop	North Jay	3	Yes	\$40,000
3070	Smithfield General Store	Smithfield	2	Yes	\$40,000
2467	Harvey Austin	Skowhegan	3	Yes	\$40,000
16050	McKees Station	Coburn Gore	2	Yes	\$40,000
1845	Pleasant Pond	Richmond	1	Yes	\$40,000
19791	Lil Deb's	Stacyville	1	Yes	\$40,000
Totals	17		39	17	\$442,209

As defined in Maine's UST regulations, the abandoned tanks in Table 2 have been out of service for more than 12 consecutive months and have never been properly closed. All are in violation of the Department's UST regulations. These facilities have a history of reported discharges or are

<sup>1</sup> Maine Dept. of Labor, Center for Workforce Research & Information

<sup>2</sup> Cost estimates based on actual site visits and bids or estimates using average per facility bids

presumed to have had unreported discharges given their construction materials or operation history. Closure will consist of proper tank and piping removal, an environmental site assessment, submission of required notifications and registration amendment, and remediation of contaminated soils where needed and within the grant budget.

All abandonment work will be supervised by a Maine certified UST installer as required by Maine law. Consultants will be hired to perform and write and submit the site assessment reports. Department personnel will oversee each project, including any needed further investigation or remediation determined at the time of the UST removal and underlying soils are accessed. All remediation will be outsourced to OSHA certified contractors. Cost estimates are based on site inspections and bids, or estimates derived from average closure costs.

In addition to the \$442,209 budgeted for tank removals and sites assessments (Table 2), another \$248,791 is proposed for remediation of oil contaminated soils found in the course of site assessments that require clean up. At an average of \$60 per ton, this should be adequate to remove, truck and treat or dispose of 4100 tons of oil contaminated soils. Total funding requested for tank removals and associated remediation is \$691,000.

### **Work Plan Implementation, Roles & Responsibilities**

Implementation of this work plan will be the responsibility of the LUST Trust Grant administrator and Director of Technical Services, and will require collaboration of staff from the Divisions of Technical Services, Remediation, Response Services and the enforcement unit of the Division of Oil & Hazardous Waste Facilities Regulation. All work and data collection included in this plan will be governed by the Department's LUST Quality Assurance Plan. Site safety plans will be developed to cover Department employees at planned work sites. Site safety plan development and implementation will be the responsibility of each project's project manager.

Remediation projects. The remediation projects listed in Table 1 will be managed by staff already working on these sites, and consist of a combination of regional Technical Services geology and engineering staff and Remediation project managers. Project planning, contracting, regulatory approvals, and remediation oversight will be the responsibility of the staff assigned to each project.

UST removals. The planning and implementation of UST removals and site assessments will largely be the responsibility of Technical and Response Services staff. This will include the contracting of Maine certified UST installers, needed contractors and site assessors, as well as UST removal oversight in coordination with the tank installer. The UST installer will be responsible for site safety for all non-Department workers.

Enforcement. Particularly at UST removal sites, gaining access to the private property where the abandoned USTs are located may become problematic. Where voluntary access agreements can not be obtained by the project staff, the assistance of the UST enforcement unit will be required to obtain Department access to undertake the needed work by way of an administrative clean up order or another enforcement mechanism. Such cases will require considerably more time to implement. It is estimated that enforcement action to gain access will require an additional 1-2 months to project completion times.

Work Schedule. *Depends on what EPA guidance ultimately says. Contracts in place spring 09, and work underway summer 09?*

### **Work Plan Budget Overview**

LUST remediation	\$1,019,000
UST closures	<u>\$691,000</u>
Total	\$1,700,000

Project management and oversight will be provided by Bureau staff and will be funded by the Maine Ground Water Oil CleanUp Fund or other state funding sources. This will allow all LUST Trust Funds to be deployed into Maine's economy.

### **Reporting**

The Department understands that transparency and accountability in the use of LUST Trust moneys awarded under American Recovery and Reinvestment Act are essential. The Department will report.... *Waiting on details from EPA guidance.*